

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 09 day of August 2006.

By

(Signature of person mailing)

Andrea E. Dorigo

Reg. No. 47,532

(Typed or printed name of person)

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Justin S Bryans et al

Examiner: **Unknown**

APPLICATION NO.: PCT/IB05/000079

Group Art Unit: **Unknown**

FILING DATE: 01/11/05

TITLE: COMPOUNDS USEFUL IN THERAPY

## Mail Stop: Petition

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

## **PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED APPLICATION** **UNDER 37 C.F.R. §1.137(b)**

Applicants respectfully petition for revival of the above-captioned international application. Pursuant to 35 USC 363, "[a]n international application designating the United States shall have the effect, from its international filing date under article 11 of the treaty, of a national application for patent regularly filed in the Patent and Trademark Office except as otherwise provided in section 102(e) of this title." The above-captioned international application designated the United States, was published in English as WO 2005/079808, and was filed on January 11, 2005. Accordingly, per 35 USC 363, the above-captioned application has the effect of a "national application for patent regularly filed." However, Applicants, had inadvertently neglected to either enter national phase in the U.S. or to file a continuation application in a timely fashion before the 30-month deadline expiration calculated from the priority date of January 22, 2004. The date of abandonment is the day after the expiration date of the 30-month period, that is, July 23 2006.

Applicants hereby petition for revival of this application. A submission under 35 USC 371 to enter National Phase of this application is filed concurrently herewith.

Pursuant to 37 CFR 1.137(b), applicants also state the following:

08/16/2006 EXAMFEBH 00000071 161445 10508876

34 FC:1453 1500.00 34

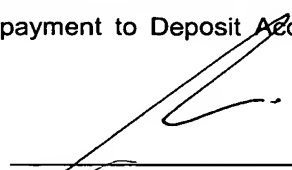
a) the entire delay in either entering national phase in the U.S. or filing a continuation application from the due date of July 23 2006 until the filing of a grantable petition under 37 CFR § 1.137(b) was unintentional;

b) since this utility/plant application was filed on January 11, 2005, no terminal disclaimer is required; and

c) the petition fee is the fee for other than a small entity under 37 CFR § 1.17(m). The Commissioner is hereby authorized to charge this fee to Deposit Account No. 16-1445.

The Commissioner is also hereby authorized to charge any fees required under 37 C.F.R. §§1.16 and 1.17 or to credit any overpayment to Deposit Account No. 16-1445. Two copies of this paper are enclosed.

Date: August 09, 2006

  
\_\_\_\_\_  
Andrea E. Dorigo  
Attorney for Applicant(s)  
Reg. No. 47,532

Pfizer Inc  
Patent Department  
150 East 42nd Street – 5<sup>th</sup> Floor  
New York, NY 10017-5755  
(212) 733-1898